

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ELIZABETH RUIZ, as mother	)	
and natural guardian of	)	
ERIN ARTIS, and	)	
ELIZABETH RUIZ, Individually,	)	
Plaintiff	)	
	)	Civil Action No. 04-12119PBS
vs.	)	
	)	
UNITED STATES OF AMERICA,	)	
Defendant	)	
	)	

**JOINT LOCAL RULE 16.1 STATEMENT**

The parties in this action submit the following Joint Statement pursuant to Local Rule 16.1:

1. **Agenda for Scheduling Conference:**

The parties have agreed that the matters to be discussed at the Initial Scheduling Conference are:

- a. Proposed discovery schedule;
- b. Schedule for filing dispositive motions;
- c. Trial by Magistrate; and,
- d. Final pretrial conference and trial dates.

2. **Proposed Discovery Plan:**

- a. Automatic disclosure statements and documents shall be served on or before April 14, 2005.
- b. Plaintiff shall make any amendments to the pleadings and shall join additional parties by or

before May 6, 2005.

c. Defendant shall make any amendments to the pleadings and shall join additional parties by or before June 6, 2005.

d. All expert and non-expert discovery (interrogatories, requests for production of documents, and depositions) shall be completed by March 28, 2006.

e. All requests for admission shall be served by March 28, 2006.

1. Plaintiff's Position: The parties are limited to a maximum of 10 requests for admission.

2. Defendant's Position: The parties may serve as many requests for admission as warranted and desired in accordance with Fed. R. Civ. P. 36 and Local Rule 36.1.

3. **Consent to Trial by Magistrate:**

The parties do not consent to a trial by a United States Magistrate Judge at this time.

4. **Proposed Schedule for Motions:**

All dispositive motions are to be filed by April 30, 2006.

5. **Designation of Experts:**

a. Plaintiff's expert witnesses and reports shall be

identified and provided by November 1, 2005; and,  
b. Defendant's expert witnesses and reports shall be  
identified and provided by December 1, 2005.

6. **Final Pre-Trial Conference:**

A final pretrial conference shall be scheduled after  
decisions are rendered on all dispositive motions.

7. **Certification under Local Rule 16.1(D)(3)**

The parties and their counsel herein certify that they  
have conferred with a view to establishing a budget for the  
costts of conducting the full course, and various alternative  
courses, of this litigation, and they have considered and  
discussed the resolution of this litigation through the use of  
alternative dispute resolution programs as outlined in Local Rule  
16.4.

Defendant,  
UNITED STATES OF AMERICA

By its attorney,

MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

/s/ Gina Y. Walcott-Torres  
Gina Y. Walcott-Torres  
Assistant U.S. Attorney  
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Respectfully submitted,

Plaintiff,  
ELIZABETH RUIZ AS MOTHER  
AND NATURAL GUARDIAN OF  
ERIN ARTIS, AND ELIZABETH  
RUIZ, INDIVIDUALLY,

By their attorney,

/s/ Zachary B. Lang  
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